



State of Arizona
Department of Education

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MEMORANDUM

TO: Sponsors of the National School Lunch Program

FROM: Mary Szafranski, Deputy Associate Superintendent
Arizona Department of Education, Health and Nutrition Services

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DATE: April 25, 2012

SUBJECT: Disaster Responses and Child Nutrition Programs

Original Signed

This memorandum provides an overview of ways school food authorities (SFA) participating in the National School Lunch and School Breakfast Programs (NSLP and SBP), and sponsors participating in the Summer Food Service Program (SFSP) can respond to situations resulting from damage or disruptions due to natural disasters such as hurricanes, tornadoes, and floods. The Arizona Department of Education (ADE) will review the avenues available to prepare and plan before a disaster strikes so responses can be as swift as possible.

ELIGIBILITY FOR FREE MEALS AND DISASTER BENEFITS

Children Experiencing Homelessness

Children residing in or evacuated from disaster areas may be determined homeless under the McKinney-Vento Homeless Assistance Act. These children are categorically (automatically) eligible for free meals in the Child Nutrition Programs. A school district's homeless coordinator makes a determination of homelessness and provides a list of all children determined homeless due to a disaster situation. The SFA, institution, or sponsor must certify these children for free meals.

In cases where a household from a designated disaster area moves in with another household, the homeless liaison may determine the displaced individuals homeless under the McKinney-Vento Homeless Assistance Act. The host family may include the displaced family members and any income provided to them when applying for free or reduced price meals.

Institutions and sponsors that require eligibility information can receive certification of the participant's homeless status from the agency that assisted with the evacuation or that is providing shelter. If the child is not residing in an emergency shelter, the institution should have an adult living with the child complete an income eligibility form indicating that the child is homeless. No further information is required to certify the child's eligibility.



Disaster Benefits from the Supplemental Nutrition Assistance Program

Children in households receiving Disaster Supplemental Nutrition Assistance Program (D-SNAP) benefits are categorically eligible for free meals in the Child Nutrition Programs. Certification of these children may be accomplished through direct contact with the SNAP agency or by an application submitted by a household with a case number.

Certification by School Officials

School officials may submit applications on behalf of children they know to be homeless and therefore categorically eligible for free meals. See Part 3 of the Eligibility Manual for School Meals for additional information on this option.

Duration of Eligibility

Children certified for free or reduced price meal benefits because of a disaster situation are no longer temporarily approved because households are no longer required to report changes in income or household size. Their eligibility, including eligibility based on homeless status or receipt of D-SNAP benefits, remains in effect for the entire school year and up to 30 days in the next school year.

Carry-Over of Previous Year's Eligibility by SFAs

The 30-day carry-over of the previous year's eligibility for school meals is based on operating days. If schools already in session were temporarily closed, or schools delayed opening at the beginning of the school year, the SFA determines the 30-day carry-over period using the number of days schools were actually operating. A child's prior year free or reduced price eligibility continues until eligibility status for the current school year is established or upon the completion of 30 operating days, whichever is less.

For example, school began on Monday, August 29, 2011, and the food service was operating for the five days school was in session. Over the weekend, the school was damaged by hurricane-force winds and rain and was closed until September 19. If the school food service did not operate on any days during that time period because school was closed, the remaining 25 days of the carry-over period would start on September 19 and would end on October 21.

USING THE SUMMER FOOD SERVICE PROGRAM (SFSP) OR SEAMLESS SUMMER OPTION (SSO) IN DISASTER SITUATIONS

ADE, SFAs, and sponsors may determine that operating SFSP or SSO sites would be useful when schools or day care facilities must remain closed due to disaster situations. SFSP regulations allow expedited approval of feeding sites during an emergency. Organizations with current agreements to operate the SFSP may be approved to open emergency feeding sites (7 CFR 225.6(c)).

ADE encourages sponsors to plan for emergency situations in advance to ensure a rapid response. ADE can pre-approve sponsors to operate emergency feeding sites during unanticipated school closures during their initial application process. For more information on participation in SSO,

please refer to the SSO questions and answers at: http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2009/SP_27-2009_os.pdf

USING USDA FOODS IN DISASTERS

Please refer to the Food Distribution Program's website for information about using and accounting for USDA Foods in disaster situations: <http://www.fns.usda.gov/fdd/programs/fd-disasters/default.htm>

FLEXIBILITIES THAT REQUIRE ADE OR FOOD AND NUTRITION SERVICE (FNS) APPROVAL

Child Nutrition Program policies are designed to allow flexibility and support continuation of meal benefits to participants in disaster areas. There are existing flexibilities in meal service requirements and administrative procedures that make it easier for ADE, SFAs, institutions, and sponsors to operate and respond to disaster situations.

Meal Component and Meal Service

Flexibility is allowed with regard to time of meal service and use of offer versus serve. These modifications may be made with ADE approval.

If emergency conditions exist that prevent schools, institutions, or sponsors from obtaining fluid milk, ADE may allow service of meals without milk or with an alternate form of milk, such as canned or dry milk (7 CFR 210.10(m)(2)(i); 7 CFR 225.16(f)(6); 7 CFR 226.20(e)).

If changes to other meal component requirements are needed, SFAs, institutions, and sponsors should consult with ADE. For the school meals programs, 7 CFR 210.10 (g)(4) allows SFAs, with approval from FNS, to serve meals that do not meet the menu planning or meal pattern requirements in disaster situations.

Accountability and Verification Procedures

In disaster situations, the FNS Regional Offices are authorized to allow ADE, SFAs, institutions, and sponsors to submit claims beyond the 60-day requirement. Claims submitted outside of the 60-day requirement, as a result of a disaster, are not subject to the one-time exception for late submissions.

If SFAs, institutions, or sponsors need to reconstruct unsubmitted claims due to loss of current records, they must consult with ADE. ADE may approve such requests in consultation with their FNS Regional Offices.

When records required for review purposes, such as paid claims, approved applications and production records, are destroyed, SFAs, institutions, or sponsors should inform ADE of the circumstances and dates of the losses, and the types and approximate age of the records that were lost. ADE should note the losses in their records for the purpose of any future administrative reviews and audits.

SFAs, institutions, and sponsors that are operational, but unable to maintain normal accountability systems, including counting, claiming, and monitoring, must contact ADE regarding how to proceed. In these situations, waiver requests must be submitted to FNS for approval.

With regard to verification under NSLP, ADE may approve deadline extensions from November 15 through December 15 (7 CFR 245.6a(b)(2)). Extensions beyond that date must be approved by FNS. In addition, FNS may approve alternatives for sample size and selection when the SFA has had a disaster (7 CFR 245.6a(c)(6)).

SFSP and SSO Site Eligibility

Based on the significant needs of each community, FNS Regional Offices may waive the requirements under SFSP and SSO that sponsors document that each site is serving an area in which poor economic conditions exist (7 CFR 225.6(c)(2)). These requirements may be waived for existing eligible sites located in the area damaged by a natural disaster that must relocate to areas that are not eligible based on school or census data.

Additionally, ADE may waive the requirement that, during an unanticipated school closure, SFSP sites may not be located at school sites (7 CFR 225.6(d)(1)(iv)). Although schools may be closed, some school buildings may be unaffected by the disaster and may be approved as a location for emergency feeding.

If you have any questions on these requirements, please contact your School Nutrition Programs Specialist at 602-542-8700.

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